

Serial No. 10/579,735

Docket No. LK-0017

Amtd. dated August 28, 2009

Reply to Office Action of April 28, 2009

REMARKS/ARGUMENTS

Claims 1-4 and 6-11 are pending. By this Amendment, the Abstract, the drawings, the specification, and claims 1-4, 6, and 9-11 are amended, and claim 5 is canceled without prejudice or disclaimer. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action rejected claims 1-4 under 35 U.S.C. §102(b) as being anticipated by Nordeen, U.S. Patent No. 4,426,751, and claims 5-6 and 8-11 under 35 U.S.C. §103(a) as being unpatentable over Nordeen in view of Waldhauser, U.S. Patent No. 4,817,233. Claim 5 has been canceled, and its features added to independent claim 1. These rejections are respectfully traversed insofar as they apply to the pending claims.

Independent claim 1 recites, *inter alia*, at least one hair tunnel formed on the suction head such that the at least one hair tunnel and the brush do not interfere with each other, wherein the at least one hair tunnel preferentially sucks thin and long substances from the surface, and wherein a sweeper is provided at an inlet of the at least one hair tunnel that preferentially sucks the thin and long substances from the surface into the at least one hair tunnel. Nordeen and Waldhauser, taken alone or in combination, fail to disclose or suggest at least such features of independent claim 1, or the claimed combination.

That is, the Office Action corresponds element 25 (disclosed by Nordeen as a first transfer passage) to the claimed at least one hair tunnel of independent claim 1. Nordeen

discloses that an entrance 30 to the first suction passage 25 opens generally tangentially to brush 16. Thus, materials picked up by the brush 16 are swept substantially directly into the entrance 30 of the first suction passage 25 by the brush 16. Nordeen further discloses that a wall 24 defines a leading edge 35 which acts as a stripper for stripping from the brush 16 material clinging to the periphery thereof at the entrance 30 to the first suction passage 25. See, for example, Fig. 3, column 3, lines 41-47, and column 4, lines 12-20 of Nordeen. However, independent claim 1 specifically recites that the claimed at least one hair tunnel and brush do not interfere with each other. Further, Nordeen does not disclose or suggest wherein a sweeper is provided at an inlet of the at least one hair tunnel that preferentially sucks the thin and long substances from the surface into the at least one hair tunnel.

Regarding dependent claim 5, the Examiner acknowledged that Nordeen fails to disclose or suggest "a sweeper...installed at the inlet unit of the hair tunnel, for preferentially sucking the thin and long substances from the bottom of the hair tunnel." The Examiner then asserted that Waldhauser discloses such features, and concluded that "[o]ne of ordinary skill in the art could have applied the known technique of including a sweeper assembly at the inlet of a tunnel, as taught by Waldhauser, in the same way to the device, of Nordeen, and the results would have been predictable."

However, the Examiner corresponded elements 36 or 38 as corresponding to the claimed sweeper. Elements 36 and 38 are disclosed by Waldhauser as inner and outer lips of front squeegee 40. The squeegees disclosed by Waldhauser pick up dirty water from a floor and

deposit it in a recovery tank via plenum chamber 46 and connection 48. The squeegees do not help the plenum chamber 46 preferentially suck thin and long substances.

Accordingly, independent claim 1 defines over Nordeen and/or Waldhauser. Dependent claims 2-4, 6, and 8-11 are allowable over Nordeen and/or Waldhauser at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Nordeen and Waldhauser, in view of Fernandez-Grandizo Martinez, U.S. Patent Publication No. 2003/0145425. The rejection is respectfully traversed.

Dependent claim 7 is allowable over Nordeen and Waldhauser at least for the reasons set forth above with respect to independent claim 1, from which it depends, as well as for their added features. Fernandez-Grandizo Martinez fails to overcome the deficiencies of Nordeen and Waldhauser, as it is merely cited for allegedly teaching the second sweeper formed in a group bristle shape of a predetermined width. Accordingly, the rejection of dependent claim 7 over Nordeen, Waldhauser, and Fernandez-Grandizo Martinez should be withdrawn.

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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